

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: SEPTEMBER 5, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-22582 – APPLICANT/OWNER: DECATUR IV, LLC**

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**\*\* CONDITIONS \*\***

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-22584) and Rezoning (ZON-22583) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan, date stamped 07/09/07, and building elevations, date stamped 06/18/07 and 07/09/07, except as amended by conditions herein.
4. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.
5. 24-Hour security shall be provided on-site upon the issuance of building permits by the Building and Safety Department. No business licenses shall be issued for the site prior to the submittal of documentation that substantiates compliance with this condition.
6. Delivery hours shall be limited to Monday through Saturday from the hours of 6:00 a.m. to 9:00 p.m.
7. Hours of operation for this development shall be: Friday and Saturday – 6:00 A.M. to 1:00 A.M. and Sunday through Thursday - 6:00 A.M. to midnight.
8. Applicant shall submit to the Planning and Development Department an approved on-site Delivery Truck Route prior to issuance of any business licenses.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall

include the following changes from the conceptual landscape plan: all spacing requirements of LVMC Title 19.12.040 shall be met; specifically, along Tropical Parkway all perimeter trees shall be planted a maximum of 20 feet on center, unless in conformance with an approved alternative. Further, the technical landscape plan shall include a detailed tabulation of the total number of trees provided per species and that total amount shall be equal to or greater than the minimum requirements as outlined in LVMC Title 19.10.010 (J)(11)(c) and LVMC Title 19.12.040.

10. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
11. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the changes herein. The required perimeter and interior screening walls, per LVMC Title 19.08.050 and LVMC Title 19.12.075 must be indicated on the plan and a detail that illustrates the height and material to be used noted.
12. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
15. Shoebox lighting shall be used throughout the entire development. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
16. A Master Sign Plan shall be submitted for approval by the City of Las Vegas prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
17. The 90-foot tall plaza signage structure is not approved as a part of this review and must be approved as a part of the required Master Sign Plan. Should the sign structure be approved at that time and in the current configuration (location and height), a variance will be required to allow a deviation from LVMC Title 19.08.060.

18. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
19. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
20. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
21. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
22. The additional architectural elements as agreed upon on the lifestyle with additional review between now and the final site plan, with regards to the north elevation of the power center.
23. Applicant shall work with Staff between now and City Council action to reconfigure the proposed driveways servicing this site. A revised site plan shall be submitted for staff approval depicting relocated driveways to meet the requirements of the required Traffic Impact Analysis.

**Public Works**

24. Submit a Petition of Vacation for the existing access easements, public sewer and public drainage easements that conflict with this site plan. The Order of Vacation shall record prior to the issuance of any building permits adjacent to or overlying the areas encumbered by such existing easements.
25. Dedicate appropriate rights-of-way in accordance with Standard Drawing 201.1 for dedicated left or right-turn lanes and Standard Drawings 234.1, 234.2 and 234.3 for bus turnouts prior to the issuance of any permits adjacent to this site unless specifically identified in writing as not required in the approved Traffic Impact Analysis.
26. Construct half-street improvements on Decatur Boulevard, including appropriate overpaving (if legally able) and Tropical Parkway adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

27. A minimum of two lanes of asphalt pavement on the major access street(s) adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.
28. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
29. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the driveways accessing this site.
30. Landscape and maintain all unimproved rights-of-way, if any, on Decatur Boulevard and Tropical Parkway adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
31. Submit an Encroachment Agreement for all landscaping, if any, located in the Decatur Boulevard and Tropical Parkway public rights-of-way adjacent to this site prior to occupancy of this site.
32. A Property Owners' Association or other Landscape Maintenance Association shall be established to maintain all private roadways, landscaping and common areas created with this development.
33. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically

noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. We note that a new traffic signal is proposed on Decatur Boulevard. The Public Works Department may support the proposed traffic signal provided that the intersection meets warrants and is approved by the City of North Las Vegas. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

34. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
35. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. Approval of this Site Plan does not constitute approval of any deviations. We note that meandering sidewalk is shown adjacent to Decatur Boulevard.
36. Coordinate with the Clark County Department of Public Works to discuss any impacts to this site plan from the I-215 Beltway. Provide documentation from Clark County to the City of Las Vegas Land Development Section that this condition has been satisfied prior to the approval of any construction drawings.
37. Coordinate with the City of North Las Vegas Public Works Department to discuss traffic control (traffic signals and median openings) on Decatur Boulevard. Provide documentation from the City of North Las Vegas to the City of Las Vegas Land Development Section that this condition has been satisfied prior to the approval of any construction drawings. Developer shall construct a traffic signal at the intersection of

Decatur Boulevard and Tropical Parkway concurrent with first phase of construction of offsite improvements adjacent to this site. In addition, if the approved Traffic Impact Analysis identifies Decatur Boulevard/Rice Avenue as a signalized intersection, developer shall construct full traffic signal at that intersection. Traffic signals shall not be activated until approved by the City Traffic Engineer.

38. The driveway proposed on Decatur Boulevard shall align with Rice Avenue.
39. Tropical Parkway shall be posted "No Parking" adjacent to this site.
40. Coordinate with the City Traffic Engineer regarding modifications of the median on Tropical Parkway to restrict left turning movements out, but allow left turning movements into the proposed driveway access. Comply with the recommendations of the City Traffic Engineer.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a proposed 458,053 square foot commercial shopping center on 36.43 acres located at the northwest corner of Decatur Boulevard and Tropical Parkway. The project site currently consists of three undeveloped parcels of land just south of CC 215 and west of the city's boundary with the City of North Las Vegas.

The site has had prior commercial development approvals that have not been realized. This proposed development is generally in keeping with the requirements of the C-1 (Limited Commercial) zoning district; however, site conditions (specifically site access and circulation) indicate there are site design concerns that have not been adequately addressed and denial of this request is recommended.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
08/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Density Residential land uses (if residential) with a maximum density of two dwelling units per acre.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan. The site was designated for M (Medium Density Residential) and SC (Service Commercial) land uses.
12/08/97	The City Council approved a General Plan Amendment (GPA-0058-97) from ML (Medium-Low Density Residential) to SC (Service Commercial), and approved a Rezoning (Z-0109-97) from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) to C-1 (Limited Commercial) on the site. The City Council also approved a Rezoning (Z-0110-97) from R-E (Residence Estates) under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) to R-PD15 (Residential Planned Development - 15 Units Per Acre) on the western portion of the site. The Planning Commission and staff recommended approval.
05/24/99	The City Council approved the Centennial Hills Sector Map (GPA-0001-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Centennial Hills Area as described in the Plan.



06/06/01	The City Council approved a General Plan Amendment (GPA-0008-01) from M (Medium Density Residential) to SC (Service Commercial) and a Rezoning (Z-0018-01) from a Resolution of Intent to R-PD15 (Residential Planned Development - 15 Units Per Acre) to C-1 (Limited Commercial) on this site. The Planning Commission and staff recommended approval of both items.
07/05/01	The City Council approved a Site Development Plan Review [(Z-0018-01(1), Z-0109-97(1), Z-0110-97(2)] which allowed a proposed 262,640 square foot retail commercial development, which included this parcel. The Planning Commission and staff recommended approval.
07/24/03	The City Council approved Extensions of Time (EOT-2504 and EOT-2502) of an approved Rezoning (Z-0018-01) to C-1 (Limited Commercial) and a Site Development Plan Review [(Z-0018-01(1), Z-0109-97(1), Z-0110-97(2)] for a proposed commercial development on this site, subject to expire on 07/05/05. The Planning Commission and staff recommended approval.
08/20/03	The City Council granted an Extension of Time (EOT-2493) of an approved Site Development Plan Review [Z-0110-97(1)] for a proposed 140-unit multi-family residential development on 9.35 acres immediately to the west of the subject property. The Planning Commission and staff recommended approval. This extension will expire 06/29/05.
08/12/04	The Planning Commission approved a Tentative Map (TMP-3624) for a two-lot commercial subdivision (Decatur III) on 27.38 acres adjacent to the northwest corner of Decatur Boulevard and Tropical Parkway. Staff recommended approval. A Final Map for this site has not been submitted.
07/06/05	The City Council approved Extensions of Time (EOT 6798 and EOT-6799) of an approved Rezoning (Z-0018-01) an approved Site Development Plan Review [(Z-0018-01(1), Z-0109-97(1), Z-0110-97(2)] for a proposed commercial development on this site.
10/18/06	The City Council tabled a General Plan Amendment (GPA-14118), Rezoning (ZON-14120), Variance (VAR-14122) and Site Development Plan Review (SDR-14114) that would have created a PCD designation with a PD zoning district to create a residential and commercial master development.
06/06/07	The City Council approved an Extension of Time (EOT-20771) for an approved Rezoning (Z-0018-01). This request extends the Resolution of Intent to C-1 (Limited Commercial) on 3.6 acres of the project site. Staff recommended approval.
08/09/07	<a href="#">The Planning Commission recommended approval of companion items GPA-22584 and ZON-22583 concurrently with this application.</a>  <a href="#">The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #16/rts).</a>
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no active or pending building permits or business licenses for this site.	



<b><i>Pre-Application Meeting</i></b>	
05/25/07	A pre-application meeting was held and elements of this application were discussed. At this meeting the residential adjacency standard and the pending City Council action on an Extension of Time (EOT-20771) were talked about. Submittal requirements were discussed.
<b><i>Neighborhood Meeting</i></b>	
07/05/07	<p>A neighborhood meeting was held at Los Prados Country Club, 5150 Los Prados Circle. Seventeen members of the public attended. Those in attendance had the following comments and concerns:</p> <ul style="list-style-type: none"> <li>• Access onto Tropical, the neighbors don't want it directly lined up with street to the south;</li> <li>• Ok with route in and out;</li> <li>• They want no parking on Tropical;</li> <li>• Concern about lighting in parking lot not going into residences;</li> <li>• Question of hours for uses and deliveries;</li> <li>• Want 20 feet distance between trees on west side;</li> <li>• Western wall height must be a minimum of 6 feet and a maximum of 8 feet on both sides; and</li> <li>• No lighting on tower facing west or south.</li> </ul>

<b><i>Field Check</i></b>	
06/22/07	The Department of Planning and Development conducted a site visit that found that the site was an undeveloped site consisting of desert vegetation and some trash. It appeared that the site has been used recently by ATV users. There were multiple subdivision directional signs for area developments on-site. The neighboring residential development to the west appeared to be mainly two-story homes along the perimeter of the site.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	36.43

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-PD15 (Residential Planned Development - 15 Units Per Acre) [Proposed: C-1 (Limited Commercial)]

	Undeveloped	SC (Service Commercial)	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North	ROW (CC 215)	ROW (CC 215)	ROW (CC 215)
South	Single Family, Detached	ML (Medium Low Density Residential)	R-1 (Single Family Residential)
East	Undeveloped	North Las Vegas	North Las Vegas (C-1 and C-2)
West	Single Family, Detached	ML (Medium Low Density Residential)	R-PD6 (Residential Planned Development - 6 Units Per Acre)
	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
	Single Family, Detached	M (Medium Density Residential)	R-PD8 (Residential Planned Development - 8 Units Per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
R-PD (Residential Planned Development) District	X		N *
<b>Trails</b>		X	n/a
<b>Rural Preservation Overlay District</b>		X	n/a
<b>Development Impact Notification Assessment</b>		X	n/a
<b>Project of Regional Significance</b>	X		Y **

\* A Rezoning (ZON-22583), if approved, will remove the R-PD (Residential Planned Development) district designation from this site.

\*\* This review outlines a project that meets the threshold that defines a Project of Regional Significance as outlined in the ordinance for average daily trip generation by a commercial development. The applicant has prepared an impact report as required by the Ordinance for referral to the City of North Las Vegas and other affected agencies. As of the current date, no response has been received from North Las Vegas.

## INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a “Project of Regional Significance” for the following reasons:

- 1) A commercial or industrial facility generating more than 6,250 ADT

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

- 1) The Regional Transportation Commission (RTC) recommends that the Decatur/Centennial project include a bus turnout on Decatur Boulevard, south of the northernmost entrance to the project. The recommended design for the bus turnout comes from page 40.1 of the Clark County Uniform Standard Drawings.

The Public Works staff will address all off-site improvements related to bus turnouts as a part of the review of the required traffic impact analysis and has included an “if approved” condition to that effect.

The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.08, the following development standards apply:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	n/a	1,586,848 SF	n/a
Min. Lot Width	100 Feet	650 Feet	Y
Min. Setbacks			
• Front	20 Feet	> 20 Feet	Y
• Side	10 Feet	> 10Feet	Y
• Corner	15 Feet	> 15 Feet	Y
• Rear	20 Feet	> 20 Feet	Y
Min. Distance Between Buildings	n/a	40+ Feet	n/a
Max. Lot Coverage	50 %	28.9%	Y
Max. Building Height	n/a	45 Feet	n/a
Trash Enclosure	Screened and Gated	Screened and Gated	Y
Mech. Equipment	Screened	Screened	Y

*Pursuant to Title 19.08.060, the following residential adjacency standards apply:*

<b>Residential Adjacency Standards</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
3:1 proximity slope – to “Target”	135 Feet	> 135 Feet	Y
3:1 proximity slope – to “Retail Bldg A”	72 Feet	74 Feet	Y

3:1 proximity slope – to “Retail Bldg B & C”	126 Feet	145 Feet	Y
3:1 proximity slope – to Plaza Sign Structure	270 Feet	262 Feet	N *
Adjacent development matching setback	15 Feet	> 15 Feet	Y
Trash Enclosure	50 Feet	> 50 Feet	Y

- \* This 90-foot tall plaza signage structure does not meet the standards for residential adjacency as the pinnacle height of 90 feet requires a setback from the adjacent residential property of 270 feet. However, since the project requires a master sign plan and does not impact the residential protection standards of the sign code this freestanding plaza sign structure potentially could be approved as a part of the master sign plan process. A condition has been added to the “if approved” conditions of this review that the structure must be approved as a part of the master sign plan process and if the height and location remain the same then a variance will be required to approve the distance separation to the adjacent residential property, currently only 262 feet away.

***Pursuant to Title 19.10 and 19.12, the following landscaping standards apply:***

<b><i>Landscaping and Open Space Standards</i></b>				
<b><i>Standards</i></b>	<b><i>Required</i></b>		<b><i>Provided</i></b>	<b><i>Compliance</i></b>
	<b><i>Ratio</i></b>	<b><i>Trees</i></b>		
Parking Area	1 Tree / 6 Spaces	384 Trees *	> 384 Trees	Y
Buffer:				
Min. Trees	1 Tree / 30 Linear Feet	94 Trees	> 94 Trees	Y
	1 Tree / 20 Linear Feet	159 Trees	> 159 Trees	Y **
<b>TOTAL</b>		637 Trees	> 637 Trees	Y
Min. Zone Width				
8 Feet @ North - Interior PIL (Adj. to CC 215 ROW)			15 Feet	Y
8 Feet @ West - Interior PIL (Adj. to Residential Zones)			20 Feet	Y
15 Feet @ East - PIL @ ROW (Adj. to N. Decatur Blvd.)			20 Feet	Y
15 Feet @ South - PIL @ ROW (Adj. to W. Tropical Pkwy.)			15 Feet	Y
Wall Height	6 Feet		None Depicted	N ***

- \* Parking is provided for 2,522 vehicles, but only 2,302 spaces are uncovered surface parking spaces. This calculation is based only on the open parking lot spaces.

- \*\* A condition has been added to this review that on the technical landscape plan submission, that the landscape plan be revised to reflect adequate spacing of the perimeter trees to comply with the spacing requirements along Tropical Parkway where 20 feet on center is the standard due to the residential property to the south of the project site.

- \*\*\* A condition has been added to this review that a revised site plan must be approved by the Planning Department, prior to the issuance of building permits, which includes the proper notations and detail for the required perimeter wall as outlined in LVMC Title 19.12.075.

***Pursuant to Title 19.04 and 19.10, the following parking standards apply:***

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Regional Mall *	458,053 SF	1 Space / 250 SF GFA	1,804 Spaces	29 Spaces	2,478 Spaces	44 Spaces	Y
TOTAL (including handicap)			1,833 Spaces		2,522 Spaces		Y
Loading Spaces	458,053 SF	3 + 1 for ea 100,000 SF over 50,000 SF	7 Spaces		11 Spaces (Plus trailer delivery areas at major retail spaces)		Y

\* This commercial center does not meet the definition of a regional mall and is not entitled to any consideration for waivers or other development standards applicable to that use.

However, because the development is similar in terms of the proposed amount of commercial square footage, parking has been calculated for the overall development not each individual use at the same ratio.

## ANALYSIS

The subject site is located on the Centennial Hills Sector Map of the General Plan. The site consists of a parcel designated as M (Medium Density Residential) and two that are SC (Service Commercial) under the General Plan. There is a General Plan Amendment (GPA-22584) that, if approved, will change the designation of the M (Medium Density Residential) designated parcel to the SC (Service Commercial) designation. This would bring all three parcels of the subject site under a SC (Service Commercial) designation. The SC (Service Commercial) designation allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The project proposes to create a commercial shopping center that will include offices, restaurants and a financial institution, general on the 36.43 acre site.

There is a Rezoning (ZON-22583) that proposes to change a portion of the project site's zoning from R-E (Residence Estates) under Resolution of Intent to R-PD15 (Residential Planned Development - 15 Units Per Acre) to C-1 (Limited Commercial). This would bring all three parcels of the subject site ultimately under the provisions of the C-1 (Limited Commercial) zoning district. The C-1 (Limited Commercial) zoning district is designed to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The proposed uses at this location are permissible in a C-1 (Limited Commercial) zoning district which is compatible with the proposed and existing SC (Service Commercial) General Plan designation.

The site encompasses three parcels with proposed buildings built on or at the lot lines. Additionally, should the parcels in the future become separate developments the site will be placed out of conformance with the development standards for the proposed C-1 (Limited Commercial) zoning district. For this reason a condition has been added to this review that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating the parcels be recorded.

The project site meets the "non-residential project with a site larger than 15 net acres" threshold necessitating a Master Sign Plan. A Master Sign Plan is required for certain types of development in order to allow the Planning Commission and City Council to ensure the appropriate relationships among building elevations, signage and circulation. Larger commercial developments are likely to generate greater impacts on surrounding residential properties than smaller commercial projects. An effective Master Sign Plan encourages integrated signage, with an emphasis on wall signs and central identification signage rather than multiple freestanding signs along the street frontage. Reducing the amount of sign clutter along street frontages allows the customer of the commercial center to readily identify establishments that have the goods and services they seek. A condition has been included as a part of this review that a Master Sign Plan shall be submitted and approved before any on-premise signage may be installed for this project.

- **Site Plan**

The site is located on the west side of North Decatur Boulevard, south of CC 215. This site consists of three undeveloped parcels of land along the city's boarder with the City of North Las Vegas.

The site plan is in general compliance with the standards of the C-1 (Limited Commercial) district; however, there are concerns related to the site access, circulation, and linkage between the parking and building access. Site access (ingress and egress) for this development appears to be primarily from south bound Decatur Boulevard (a 100-foot primary arterial), which could create significant backups as well as force a large number of U-turns at the Tropical Parkway – Decatur Boulevard intersection once it is

built out. The on-site circulation places large amounts of the parking at the rear of the both of the larger building areas. The “Big Box Center” building does not appear to have any direct access into the retail spaces for the center’s patrons from the north side of the building. There are two pedestrian portals from the west side “Life Style” center but no direct customer access from this parking area into the adjoining retail or office spaces. This will create a greater than necessary demand for the limited parking at the front of or under the “Life Style” center and leave a significant amount of parking under utilized there as well as behind the “Big Box Center” space.

The site plan illustrates eight smaller and three larger buildings that are proposed for retail, office, financial, and restaurant tenants. The major retail building is massed towards the north of the site and backing towards the highway; while the remaining buildings are spread around the southern portion of the site centered mainly on a pedestrian plaza and tall freestanding sign structure. The pedestrian plaza is sited above a subterranean level of parking.

- **Landscape Plan**

The landscape plan depicts appropriate landscape buffers around the perimeter of this site. There is adequate buffering area along all of the property lines; however, a portion of the buffer at the southern property line is notated at an incorrect tree spacing. The spacing requirement is a maximum of 20 feet on center separation between the required trees. Included in the standard condition that requires a technical landscape plan is a requirement that the plan be revised to reflect the appropriate tree spacing within the buffer areas as per Title 19.12.040 and that the planting material be properly tabulated to verify compliance with the appropriate number of trees.

Additional landscaping has been placed adjacent to the western side of the two buildings closest to the residential neighborhoods to the west. The parking area landscaping has been provided in both islands at the ends of the parking rows and in landscape fingers within the parking rows as outlined in Title 19.10.

- **Elevations/Floor Plan**

The materials and design of the building exteriors will match through out the proposed commercial shopping center. The buildings have varying heights up to two-stories (45-feet) that use parapets and architectural articulation to vary the appearance of the building facades. The identified Big Box (Target) building is utilizing the colors and accents proposed for the rest of the commercial shopping center to incorporate a cohesive appearance through out the center.

The west elevation of the “Life Style” center, which faces a residential neighborhood, gives a “back of house” appearance while it would be more appropriate to provide a façade that is architecturally compatible with public frontage. This would provide a more



aesthetically fitting view and reduce the unsightliness typical at the rear of many shopping centers.

The 90-foot tall plaza signage structure depicted in the elevations does not meet the standards for residential adjacency as the pinnacle height of 90 feet requires a setback from the adjacent residential property of 270 feet. However, since the project requires a master sign plan and does not impact the residential protection standards of the sign code this freestanding plaza sign structure potentially could be approved as a part of the master sign plan process. A condition has been added to the “if approved” conditions of this review that the structure must be approved as a part of the master sign plan process and if the height and location remain the same then a variance will be required to approve the distance separation to the adjacent residential property, currently only 262 feet away.

The floor plans show that there will be the potential for a variety of tenant space sizes that will be built out at the time those spaces are leased. The development at this time is producing shell buildings that will allow the tenants the freedom of doing tenant improvements tailored to their business. A one level, subterranean parking structure has been placed beneath the area where the mix of retail, office, restaurant and financial institution, general are depicted surrounding the pedestrian plaza.

This site development plan review has been submitted in conjunction with a proposed General Plan Amendment (GPA-22584) to change the designation of one of the parcels to SC (Service Commercial) and a Rezoning (ZON-22583) to change the zoning district of one of the parcels to C-1 (Limited Commercial).

A commercial shopping center is appropriate for this area and so are the potential uses under the C-1 (Limited Commercial) zoning district. However, the site as designed has serious potential issues with regard to site access and circulation, along with the layout of the building entrances as they relate to substantial areas of the parking. The proposed commercial shopping center is not compatible with the surrounding present and future area development due to these site design concerns; therefore, staff is recommending denial of this site development plan review request.

## **FINDINGS**

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development will not be consistent with the existing and proposed development around the site due to issues related to site access, circulation, and linkages to parking.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed site plan conforms to both the General Plan and Title 19. There are no other city policies and standards which apply to this site.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Site access (ingress and egress) for this development appears to be primarily from south bound Decatur Boulevard (a 100-foot primary arterial), which could create backups as well as force a large number of U-turns at the Tropical Parkway – Decatur Boulevard intersection once it is built out. The on-site circulation places large amounts of the parking at the rear of the center with little to no access from that side into the retail spaces. This will create a greater than necessary demand for the limited parking at the front of the center and leave a significant amount of parking under utilized.

4. **Building and landscape materials are appropriate for the area and for the City;**

The proposed building materials and landscape materials are appropriate for the area and for the City.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The building elevations, design characteristics and other architectural and aesthetic features are generally attractive and compatible with development in the area. However, the western elevations of the “Life Style” center depict an unsightly and undesirable façade facing the neighboring residential development. These elevations display less architectural character than would be provide if the use of dual public frontage where used to make this side of the building more aesthetically pleasing and more accessible.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The project will be subject to permit review and inspections; therefore, appropriate measures will be taken to protect public health, safety and general welfare.

**PLANNING COMMISSION ACTION**

The Planning Commission added conditions 22 and 23 and amended condition 6 as shown. The applicant agreed to all conditions.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 2

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 486 by Planning Department

**APPROVALS** 3

**PROTESTS** 4